



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,951	01/24/2001	Ken Clubb	003636.0094	2786

7590

08/25/2005

MANELLI DENISON & SELTER PLLC  
ATTN: WILLIAM H. BOLLMAN, ESQ  
2000 M STREET NW  
SUITE 700  
WASHINGTON, DC 20016

EXAMINER

LIM, KRISNA

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/767,951

Applicant(s)

CLUBB ET AL

Examiner

Krisna Lim

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 March 2005 and 04 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2153

1. Claims 1-44 are still pending for examination.

By amending the preamble of claim 41, "The computer useable information storage medium" of claims 42-44 lack a clear antecedent basis. Moreover, by deleting a lot of stuffs from the preamble of claim 41, the phrase of "computer readable program code" raises the 35 U.S.C. § 101 issue.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al. [U.S. Patent No. 6,490,256 ] in view of Danarski et al. [U.S. Patent No. 6,272,129] and examiner's Official Notice.

4. Jones et al. disclose (e.g., see Figs. 1-23) the invention substantially as claimed. Taking claims 1-3, 5-6, 11-13, 15 and 18-19 as exemplary claims, the reference disclosed wireless routers (e.g., see routers 30, 31, 32 and 33 of Fig. 1, col. 3) including a wireless network interface 230, a wireless transmitter card 210 and a wireless receiver card 200 and having content servers (55, 56, etc.) While Jones discloses these routers that allow the communication between at least one of subscriber devices (11, 14) and the servers and the global internet 40 (e.g., see col. 3), Jones does not explicitly detail

Art Unit: 2153

the well known feature of this wireless routers and the wireless network interface.

Official Notice is taken that such details of the following are well known in the art at the time the invention was made when a consumer setup the wireless network at his home or office. For example the following steps are well known:

a) publishing a list of available servers to the remote monitor clients (this is the broadcasting feature of the wireless router to the other wireless device (a laptop or a remote pc,) such as the well known features of "View Wireless Networks" and "List of Available Wireless Network in the Area", etc.);

b) receiving servers selected from said list of available servers from the remote monitor client (this is well known step that the user selected one of the available server to be connected);

c) dynamically generating information about said selected server with the web server (this is the generated information of the selected sever, for example the name, the bandwidth capacity, the status, the share key, etc.);

d) providing said dynamically generated information from said web server to said remote monitor client (e.g., establishing the connection between the web server and the client) and

e) providing said dynamically generated information from the said remote monitoring client to a protocol gateway (e.g., establishing the communication between the client and the network interface or gateway).

5. As to claims 4-5, as to this feature of retrieving and storing the information from/to cache is also known in the art too.

6. As to claims 7-8, Jones does not explicitly detail the security feature either, however, this security features (e.g., determining an access level of the client, issuing a digital certificate to the client, etc.) is also well known too. For example, after the user bought an available wireless router in the market (e.g., D-Link router, Linksys router, Netgear, etc.) and he needs to set it up, this features are in the security set up section of the wireless router). While Jones focus on the feature of operating his wireless computer network to operate efficient and Dynarski focus on the security issue of the network (e.g., see Col. 5 (line 31-61) and col. 7). Protecting a computer network by having server with security and efficient features would have been a desirable feature in the art, thus it would have been obvious to one of ordinary skill in the art to combine the network security feature of Dynarski into the efficient and optimizing network of Jones in order to archive the desirable network. Moreover, both of Jones and Dynarski directed also to the wireless routers.

7. As to claims 9-10 and 16-17, Dynarski discloses that the information is provided on the page of the laptop 14. Dynarski does not explicitly mention that the page of laptop 14 is an XML page. Such specific format of the page would have been a matter of choice.

8. As to claims 12 and 13, such communication over a network using either HTTP or HTTPS is also a well known feature in the art because they are known as a client-server TCP/IP protocol used on the WWW for the exchange of HTML documents.

9. As to claims 20-44, they are similar in scope as of claims 1-19, and therefore claims 20-44 are rejected for the same reasons set forth above for claims 1-19.

10. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krisna Lim whose telephone number is 571-272-3956. The examiner can normally be reached on Monday to Wednesday and Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on 571-272-3949. The fax phone

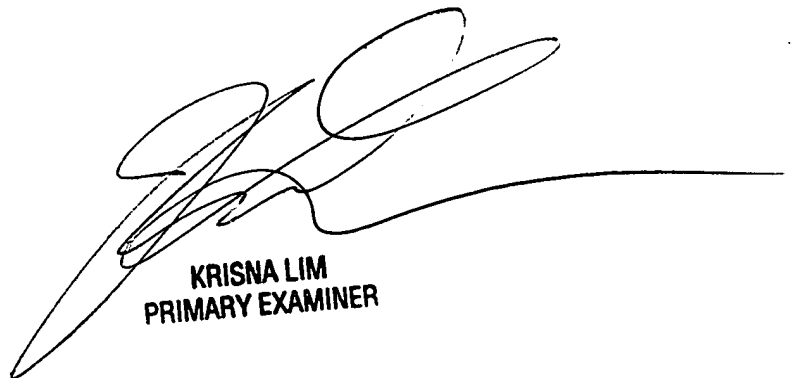
Art Unit: 2153

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KI

August 22, 2005



**KRISNA LIM  
PRIMARY EXAMINER**